

JC05 Rec'd PCT/PTO 06 OCT 2005

EXPRESS MAIL LABEL NO. EV669610949US
PATENT

10/552515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pastan et al.

Application No. (not yet assigned)

Filed: herewith

Confirmation No.

For: GENE EXPRESSED IN PROSTATE
CANCER, METHODS AND USE
THEREOF

Examiner: (not yet assigned)

Art Unit: (not yet assigned)

Attorney Reference No. 4239-68223-02

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as Express Mail, Label No. EV669610949US in an envelope addressed to: MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Date Mailed October 6, 2005

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(1)

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language and/or non-English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Copies of United States patents and United States published patent applications do not have to be provided to the Patent Office (37 C.F.R. 1.98(a)(2)(ii)). Copies of unpublished U.S. applications do not have to be provided, as long as the application is available on PAIR, as this requirement of 37 C.F.R. § 1.98(a)(2)(iii) has been waived by the United States Patent and Trademark Office pursuant to the Official Gazette Notice on October 19, 2004 (1287 OG 163). Applicants will provide copies of such patents or applications upon request.

JG05 Rec'd PCT/PTO 06 OCT 2005

EXPRESS MAIL LABEL NO. EV669610949US
PATENT

10/552515

Applicants filed this Information Disclosure Statement ("IDS") within three months of the filing date of a national application. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this IDS is enclosed.

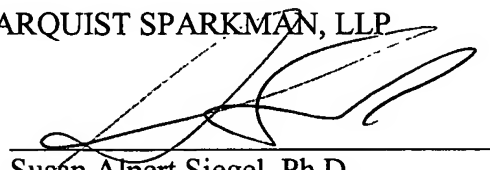
With regard to GENBANK Accession Numbers AK057322, BC028162, BC038852, BC047903, XM_297689, and AC104841, according to NCBI Help Desk personnel, it is not possible to determine the first date of public availability from an NCBI-published GenBank sequence record. NCBI publishes the date that a sequence is "first seen" at NCBI (accessible online at <http://www.ncbi.nlm.nih.gov/entrez/sutils/girevhist.cgi>), which is the date listed for these GENBANK Accession Numbers.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Susan Alpert Siegel, Ph.D.
Registration No. 43,121

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446
cc: Docketing

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Attorney Docket Number	4239-68223-02
	Applicant's Name	(not yet assigned)
	Filing Date	10/5/2005
	First Named Inventor	Pastan
	Art Unit	(not yet assigned)
	Examiner Name	(not yet assigned)

U.S. PATENT DOCUMENTS

Copies of U.S. Patent documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date.

Examiner's Initials*	Cite No. (optional)	Number	Publication Date	Name of Applicant or Patentee
		5,851,764	Dec. 22, 1998	Fisher et al.

FOREIGN PATENT DOCUMENTS

Examiner's Initials*	Cite No. (optional)	Country	Number	Publication Date	Name of Applicant or Patentee
		PCT	WO 99/67384	Dec. 29, 1999	INCYTE PHARMACEUTICALS
		PCT	WO 00/12706	Mar. 9, 2000	THE GOVERNMENT...HEALTH AND HUMAN SERVICES
		PCT	WO 01/75067	Oct. 11, 2001	HYSEQ, INC.
		PCT	WO 02/18584	Mar. 7, 2002	THE GOVERNMENT...HEALTH AND HUMAN SERVICES
		PCT	WO 02/24718	Mar. 28, 2002	DIADEXUS, INC.
		PCT	WO 03/042370	May 22, 2003	THE GOVERNMENT...HEALTH AND HUMAN SERVICES

Examiner's Initials*	Cite No. (optional)	OTHER DOCUMENTS
		Strausberg et al., EMBL Accession No. BC047903, March 5, 2003

EXAMINER SIGNATURE:	DATE CONSIDERED:
* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.	

1005 Rec'd PCT/PTO 06 OCT 2005

INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Attorney Docket Number	4239-68223-02
	Application Number	(not yet assigned)
	Filing Date	10/552515
	First Named Inventor	Pastan
	Art Unit	(not yet assigned)
	Examiner Name	(not yet assigned)

Examiner's Initials*	Cite No. (optional)	OTHER DOCUMENTS
		Drmanac et al., EMBL Accession No. AAS79675, February 13, 2002
		Drmanac et al., EMBL Accession No. ABG15488, February 18, 2002
		Sun et al., EMBL Accession No. AAD38831, September 23, 2002
		Sun et al., EMBL Accession No. AAE24066, September 23, 2002
		BERA et al., "NGEP, a gene encoding a membrane protein detected only in prostate cancer and normal prostate", <i>PNAS</i> , Vol. 101, No. 9, pp 3059-3064, March 2, 2004
		Ota et al., GENBANK Accession No. AK057322, October 31, 2001
		Strausberg et al., GENBANK Accession No. BC028162, October 28, 2002
		Strausbert et al., GENBANK Accession No. BC038852, October 28, 2002
		Strausberg et al., GENBANK Accession No. BC047903, March 4, 2003
		GENBANK Accession No. XM_297689, April 10, 2003
		Holmes et al., GENBANK Accession No. AC104841, December 21, 2001

EXAMINER SIGNATURE:	DATE CONSIDERED:
<p>* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	